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Dated: 10114104 Signature:

(Ginny Blundell)

Docket No.: COTH-P03-504 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Hammond et al.

Application No.: 10/646985

Confirmation No.: 1147

Filed: August 21, 2003

Art Unit: 1636

For:

METHODS FOR PRODUCING NUCLEIC ACIDS LACKING 3'-UNTRANSLATED

REGIONS AND OPTIMIZING CELLULAR RNA-PROTEIN FUSION FORMATION

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Those patents or publications in the attached form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in prior application number 09/910518, filed July 20, 2001 (now abandoned) and application number 09/374,962, filed August 16, 1999 (now U.S. Patent No. 6312927) and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

Application No.: 10/646985 Docket No.: COTH-P03-504

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. COTH-P03-504.

Dated: October 14, 2004

Respectfully submitted,

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Sut	ostitute for form 1449A/B/P	το		Complete if Known		
				Application Number	10/646985	
11	NFORMATIO	N DI	SCLOSURE	Filing Date	August 21, 2003	
l s	TATEMENT	BY /	APPLICANT	First Named Inventor	Philip W. Hammond	
_				Art Unit	1636	
	(Use as many sh	eets as	s necessary)	Examiner Name	Not Yet Assigned	
Sheet	1	of	2	Attorney Docket Number	COTH-P03-504	

	U.S. PATENT DOCUMENTS							
Examiner	Cite No.1	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
Initials*		Number-Kind Code ² (if known)	MM-DD-YYYY	Applicant of Cited Document				
	AA	4,843,003	06-27-1989	Henikoff et al.				
	AB	5,627,024	05-06-1997	Maruyama et al.				
	AC	5,643,768	07-01-1997	Kawasaki				
	AD	5,658,754	08-19-1997	Kawasaki				
	AE	5,789,208	08-04-1998	Sharon				
	AF	5,849,878	12-15-1998	Cantor et al.				
,	AG	5,965,133	10-12-1999	Cantor et al.				
	AH	5,985,575	11-16-1999	Wickens et al.				
	Al	6,214,553-B1	04-10-2001	Szostak et al				

FOREIGN PATENT DOCUMENTS									
Examiner Cite Initials* No.1		Foreign Patent Document Country Code³-Number⁴-Kind Code⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	۳⁵			
	ВА	WO 98/31700	07-23-1998	The General Hospital Corporation					
	ВВ	WO 99/51773	10-14-1999	Phylos, Inc.					

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Nich indication of the year of the reign of the Emperor must precede the serial number of the patent document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

		NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.1				
	CA	CAPECCHI and KLEIN, "Release Factors Mediating Termination of Complete Proteins," Nature 226:1029-1033 (1970)			
	СВ	CAPECCHI, "Polypeptide Chain Termination In Vitro: Isolation of a Release Factor," Proc. Natl. Acad. Sci. 58:1144-1151 (1967)			
	CC	DRUGEON et al., "Eukaryotic Release Factor 1 (eRF1) Abolishes Readthrough and Competes with Suppressor tRNAs at all Three Termination Codons in Messenger RNA," Nucl. Acids Res. 25(12):2254-2258 (1997)			
	CD	FROLOVA et al., "A Highly Conserved Eukaryotic Protein Family Possessing Properties of Polypeptide Chain Release Factor," Nature 372:701-703 (1994)			
	CE	FROLOVA et al., "Eukaryotic Polypeptide chain Release Factor eRF3 is an eRF1- and Ribosome-Dependent Guanosine Triphosphatase," RNA 2:334-341 (1996)			
	CF	FROLOVA et al., "Mammalian Polypeptide Chain Release Factor and Tryptophanyl-tRNA Synthetase are Distinct Proteins," The EMBO Journal 12(10):4013-4019 (1993)			
	CG	HAMMOND et al., "In Vitro Selection and Characterization of Bcl-X _L -binding Proteins From a Mix of Tissue-specific mRNA Display Libraries," The Journal of Biological Chemistry 276(24):20898-20906 (2001)			
	СН	HIGUCHI, R., Using PCR to Engineer DNA," Stockton Press, Chapter 6, pgs. 61-70, 1989			
	CI	ILAN, J., "Release Factor Regulating Termination of Complete Protein in a Eukaryotic			

Examiner	Date	
Signature	Considered	
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PTO/SB/08a/b (08-03)
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Substitute for form 1449A/B/PTO				Complete if Known		
				Application Number	10/646985	
11	VEORMATION	I DI	SCLOSURE	Filing Date	August 21, 2003	
S	TATEMENT E	3Y /	APPLICANT	First Named Inventor	Philip W. Hammond	
				Art Unit	1636	
	(Use as many she	eets as	necessary)	Examiner Name	Not Yet Assigned	
Sheet	Sheet 2 of 2		Attomey Docket Number	COTH-P03-504		

	Organism," J. Mol. Biol. 77:437-448 (1973)	
Cì	KISSELEV and FROLOVA, "Termination of Translation in Eukaryotes," Biochem. Cell Biol. 73:1079-1086 (1995)	
СК	MIYAMOTO-SATO et al., "Specific Bonding of Puromycin to Full-Length at the C-Terminus," Nucl. Acids Res. 28(5):1176-1182 (2000)	
CL	NIEMEYER et al., "Oligonucleotide-Directed Self-Assembly of Proteins: Semisynthetic DNA - Streptavidin Hybrid Molecules as Connectors for the Generation of Macroscopic Arrays and the Construction of Supramolecular Bioconjugates," Nucl. Acid Res. 22:5530-5539 (1994)	
СМ	ROBERTS et al., "RNA-Peptide Fusions for the in vitro Selection of Peptides and Proteins," Proc. Natl. Acad. Sci. USA, 94:12297-12302, 1997	
CN	ROBERTS, "Totally In Vitro Protein Selection Using mRNA-protein Fusions and Ribosome Display", Current Opinion In Chemical Biology 3:268-273 (1999)	
co	SINGER et al., "Libraries for Genomic SELEX," Nucl. Acids Res. 25(4):781-786 (1997)	
СР	STANSFIELD et al., "Depletion in the Levels of the Release Factor eRF1 Causes a Reduction in the Efficiency of Translation Termination in Yeast," Mol. Microbiol. 20:1135-1143 (1996)	
cq	STANSFIELD et al., "The Products of SUP45 (eRF1) and SUP35 Genes Interact to Mediate Translation Termination in Saccharomyces Cerevisiae," The EMBO J. 14:4365-4373 (1995)	
CR	Stratagene Cloning Systems, Product Catalog (1992)	
CS	ZHOURAVLEVA et al., "Termination of Translation in Eukaryotes is Governed by two Interacting Polypeptide Chain Release Factors, eRF1 and eRF3," The EMBO Journal 14:4065-4072 (1995)	
СТ	ZOZULYA et al., "Mapping Signal Transduction Pathways by Phage Display," Nature Biotech. 17:1193-1198 (1999)	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	Date	
Signature	Considered	

^{&#}x27;Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.



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Application No. (if known): 10/646985

On

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